

109TH CONGRESS
2D SESSION

S. 3799

To require the Department of Homeland Security to regulate retail sales of hydrogen cyanide and its salts, and to require the Department of Homeland Security and Department of Justice to conduct a joint study about the risk of use of commercial products including cyanide by terrorists and potential preventative regulations.

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2006

Mr. SCHUMER introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To require the Department of Homeland Security to regulate retail sales of hydrogen cyanide and its salts, and to require the Department of Homeland Security and Department of Justice to conduct a joint study about the risk of use of commercial products including cyanide by terrorists and potential preventative regulations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cyanide Safety Act
5 of 2006”.

1 **SEC. 2. REQUIREMENT TO LICENSE AND RECORD.**

2 (a) IN GENERAL.—The Secretary of Homeland Secu-
3 rity (referred to in this Act as the “Secretary”) shall issue
4 such regulations as may be necessary to—

5 (1) require any person who sells or otherwise
6 transfers, at a retail level, hydrogen cyanide and its
7 salts to obtain a license for such sale from the Sec-
8 retary; and

9 (2) require any person who sells or otherwise
10 transfers, at a retail level, hydrogen cyanide and its
11 salts to record such sale or transfer, including the
12 identity of the person purchasing or otherwise re-
13 ceiving such cyanide, the address for such person,
14 and the intended use of such cyanide.

15 (b) RECORDS.—Records collected pursuant to this
16 section shall be available for such use, and retained for
17 such period, as the Secretary shall by regulation require.

18 **SEC. 3. STUDY.**

19 (a) IN GENERAL.—The Secretary and the Attorney
20 General shall conduct a study of the manufacturing and
21 distribution process of cyanide with a view to determining
22 methods, procedures, or other actions which might be
23 taken, employed, or otherwise carried out in connection
24 with such manufacturing and distribution in order to safe-
25 guard the public from the wrongful use of cyanide with
26 a focus on such use by terrorists.

1 (b) FOCUS OF STUDY.—The study required by sub-
2 section (a) shall include—

3 (1) an assessment of the risks of commercial
4 products that contain cyanide and how they might
5 be used by terrorists;

6 (2) a determination of the sources of cyanide,
7 including the name and location of each manufac-
8 turer thereof;

9 (3) an evaluation of the means and methods
10 utilized by the manufacturer and others in the dis-
11 tribution of cyanide, including the name and location
12 of each such distributor;

13 (4) an evaluation of the procedures employed in
14 connection with the selling, at the wholesale and re-
15 tail level, of cyanide, including a determination as to
16 whether or not persons selling cyanide require the
17 intended purchaser to identify himself or herself;

18 (5) a determination as to the extent to which
19 recordkeeping requirements are imposed on, or car-
20 ried out by, manufacturers of cyanide with respect
21 to the specifications of each lot of cyanide produced
22 by such manufacturer;

23 (6) a determination as to the feasibility and de-
24 sirability of establishing a central registry of all lot
25 specifications of cyanide for the purpose of providing

1 quick access to investigative and law enforcement
2 agencies;

3 (7) a consideration and review of all aspects of
4 the matter of interstate versus intrastate to the ex-
5 tent that it involves the manufacturing, distribution,
6 or use of cyanide;

7 (8) a determination as to the feasibility and de-
8 sirability of requiring limited-access storage for cya-
9 nide at universities, laboratories, and other institu-
10 tions that use cyanide for research or other pur-
11 poses; and

12 (9) a determination as to the feasibility and de-
13 sirability of regulating, in accordance with the provi-
14 sions of section 1, other chemicals that are com-
15 monly available and pose a significant risk if used
16 by terrorists.

17 (c) REPORT.—On or before the expiration of the 270-
18 day period following the date of the enactment of this Act,
19 the Secretary and the Attorney General shall report the
20 results of such study to Congress, together with their rec-
21 ommendations with respect thereto.

1 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated such sums
3 as may be necessary to carry out the provisions of this
4 Act.

